

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAURIE SMITH,

Plaintiff,

No. C 09-02903 WHA

v.

AMERICAN AIRLINES, INC., and  
DOES 1 to 50,

Defendants.

**ORDER RE PLAINTIFF'S  
LETTER DATED MAY 24, 2010**


With respect to the letter dated May 24 by Attorney Louis Franecke, all counsel will remember from the last discovery conference that American Airlines was ordered to produce certain documents to plaintiff's counsel for counsel's eyes only with the understanding that "American and plaintiff" would work out a protective order to cover those documents that were claimed to be a trade secret or otherwise of a sensitive nature. Evidently, American did produce documents but American and plaintiff failed to work out a protective order. It is distressing that counsel could not assist the Court with this simple task.

The Court has now reviewed the materials submitted by plaintiff's counsel and finds that none of them, with the exception noted below, deserve any protection. The exceptions are pages AMR0009 through 11. Those three pages must be produced to the expert only with the understanding that he would use it solely for the purposes of this litigation only and disclose to no one else. *A fortiori*, all of the other documents supplied with the May 24 letter may be shown without restriction to the expert.

Counsel for both sides are **ORDERED** to meet and confer and agree on a protective order by **FRIDAY, MAY 28, 2010, AT 5:00 P.M.** of this week. This is to cover all other documents produced in this case as agreed upon, but unless the parties otherwise agree, nothing in the protective order shall disturb the rulings made in this order.

**IT IS SO ORDERED.**

Dated: May 25, 2010.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE